BOMBAY COURIER.

VOL. XXVIII.] SATURDAY, AUGUST 29, 1818. [NUMBER 1357.

IT has been resolved, that all Advertisements which appear under the Signature of the Secretary to Government, or of any other Officers of Government properly authorised to publish them in the BOMBAY COURIER, are meant, and must be deemed to convey official Notification of the Board's Orders and Regulations, in the same manner as if they were particularly specified to any Servant of the COMPANY, or others to whom such Orders and Regulations have a reference.

BOMBAY CASTLE, 21st SEPTEMBER, 1792.

JOHN MORRIS, SECRETARY

NOTICE IS HEREBY GIVEN,

THAT the monthly general sale of the Hon'ble Company's WOOLLENS, METALS, COCHINEAL, and other STORES, will take place on Tuesday the 1st of September, and continue for one week.

The sale each day will commence at NOON.

By Order of the Right Hon'ble the Governor in Council,

R. T. GOODWIN,
T. G. GARDINER,
Commee. Gen. Sales.

BOMBAY,
GENERAL SALE ROOMS,
25th August 1818.

જાહીર•ખબર•થાએ

એવીનિ•શરફારી•બનાત•તથા•ધાતુ તથા•ફીરમીજ•તથા•બીજી•જનશની• ફુર•મહીનાની•વકરી•મંગાવ•વારને•દં ને•તારીખ ૧ શપટેમબરમાં•થારે•ને•તે વકરી•એક•ફકતા•થુધી•જારી•રેહેશે• વકરી•દર•દીને•બપોરે•ચાલુ•થારે તારીખ ૨૭ આગારટ•શંને ૧૮૧૮ અગારેજી ❀

R. T. GOODWIN,
War. K. & Com. Acct.

શ્રી

ફ્યાણીરફેઘર છિપે

છેલીજેબરમગીઘમંત પધાજી પમીરમીષપઈનર જીજષ્યાચીજ રમણીન્યાચીપીમગીમંગષપગી તા ર્મફે ૧ મફેષબઠેઘરંચેમીજે ઈ ષતીપીમગીછેમપાગપડાબઈંતે ચા ળીમણીષ

પીક્રીપ્રતીજીપષણેંમપ્રદગી છે ન.મઈષ તારીફે ૨૭ મફે પાગ ષ ષમં ૧૮૧૮ ઈષપી

R. T. GOODWIN,
War. Keep. & Com. Acct.

CAMP AT WADALA, 19th August 1818.

HIS EXCELLENCY THE MOST NOBLE THE GOVERNOR GENERAL having determined to take into consideration the losses sustained by the OFFICERS, TROOPS, DEPENDANTS and FOLLOWERS of the BRITISH CANTONMENTS and RESIDENCY, and the extent to which the sufferers may appear entitled to remuneration, from the sudden breaking out of the War with the late PAISHWA in November last—

All persons having claims on account of such losses are requested to transmit them with as little delay as possible, directed "to the Secretary to the Commissioner for the settlement of the Paishwa's territories." The claims are to be stated in detail, and when circumstances admit, a person on the spot to be referred to for such further information as may be required.

By Order,
A. R. McDONELL,
Sec. to the Commissioners

NOTICE IS HEREBY GIVEN,

THAT, Friday next, the 4th proximo, being a Hindoo Holyday (Gunesh Chouth) no business will be transacted at the General Treasury on that day.

W. S. BRUCE,
Asst. Sub-Treasurer.

BOMBAY CASTLE,
GENERAL TREASURY
29th August 1818.

Ferrar & Eduljee,

WILL SELL
BY PUBLIC AUCTION.
On MONDAY next the 31st instant,

UNDRY articles of Furniture, Glass-Ware &c., a number of Books, a small quantity of Plate, some Brandy, Madeira Wine &c. &c. &c.

At 12 o'Clock will be sold 2 Greyhounds, and 2 Pups more than half grown.

Bombay, 29th August 1818.

TO BE SOLD
BY AUCTION
BY ORDER OF THE
ADMINISTRATOR
OF THE LATE
MR. WILLIAM NOWLAND.

AT the house lately occupied by the said Mr. NOWLAND, at Mazagon, opposite the house of Mr. MANOEL, CONSTABLE of Police.

By BOMANJEE MONACKJEE, auctioneer, on Tuesday the 1st September next at 11 o'Clock in the forenoon.

One lower roomed House, substantially built, with out-houses, compound, well, and garden with fruit-trees; as occupied by the said Mr. NOWLAND at the time of his decease.

ALSO

All the household furniture, wearing apparel &c., now in the said house, and belonging to the estate of the said deceased.

The house and furniture &c. may be viewed any time previous to the sale.

Bombay 27th August 1818.

PARA se vender em Leilão, por ordem do Administrador do defunto Mr. GUILHERME NOWLAND, a caza ultimamente occupada pelo sobredito Mr. NOWLAND, a Mazagão, de fronte da caza de Mr. Manoel, condestavel de policia, por BOMANJEE MONACHJEE, *auctionnario*, Terça feira, 1ro. de Setembro proximo, as onze horas de manhã, Huma caza, de hum so andar, (ou *de cameras baixas*), de mui boa fabrica, com suas dependençias, poço, e horto com arvores fructiferas, naquelle mesmo estado em que erão possuidas pelo dito Mr. NOWLAND no tempo de seo faleçimento.

TAMBEM

Todos os trastes de huma caza, vestimentos, &c. &c. agora existentes na ditta caza, è pertençentes ao estado do sobredito defunto.

A caza, e seos trastes poderão serem vistas algum tempo antes da vendita.

Bombay 27 Agosto de 1818.

IN THE COURT OF THE RECORDER OF BOMBAY.

Sheriff's Sale.

Seized by virtue of a Writ of Fieri Facias, *at the suit of JAIKISSONDASS ANOOPDASS, trading under the name and firm of MANORDASS DWARKADASS,*

AGAINST

SHAIK NOWREDDEEN.

TO BE SOLD
BY PUBLIC AUCTION,
IN THE
MARINE YARD
On SATURDAY the 5th of Sept. next,
At 12 o'Clock in the forenoon,

THE SHIP
AMOODY,
OF THREE MASTS
THE PROPERTY OF SAID
DEFENDANT,
AND NOW LYING IN
BOMBAY HARBOUR.

THE Conditions of sale will be made known at the time of sale,

GEO. WM. MIGNAN,
SHERIFF.

BOMBAY,
SHERIFF'S OFFICE
27th August 1818.

શારીફ•શેલ

ખબર•કુદથી•આપીએનેં•શનવારને દને•તારીફ ૫ શપટંમબર•આવતા•મ હીના•ની•ફલાફ ૧૨ ને•વખતે•મરીન• આડમા•વેચાશે•વાણ ૧ નંમે • શીપ• આસુદી•તણ•કોલી•એ•મીલફત•શેફ• નુરદીનનીછે•તે•શારીરે•દાય•મારીને•ફ બજ•ફીધેલીછે•શ્રી•કુકરાબલ•રીફાકર ફોરટ•ની•કીફરીથી•નેફીશંનદાશ•અનુ

પદાશ•વેપાર•ચલાવેછે•મનોરદાશ•કુવા રફાદાશની•ફરીઆદી•બાબત ❀

શ્રી•મુબઇ•ની•તારીફ ૨૭ આગારટ શંને ૧૮૧૮ ❀

Ferrar & Eduljee,

WILL SELL
BY PUBLIC AUCTION
On MONDAY the 7th September next,

PRECISELY at 12 o'Clock, an Excellent Gold Chronometer in Hunting Case, by Fisher, belonging to the estate of the late Dr. Carnagie.

Bombay, 29th August 1818.

FOR SALE
ON APPLICATION TO
FRAMJEE COWASJEE,
A FEW HALF CHESTS
OF
ENGLISH CLARET,
FROM THE FIRMS OF
GLEDSTANES & CO.
AND
MAXWELL AND KEYS,
AT
RUPEES 26 *PER DOZEN;*
ALSO,
A FEW QUARTER CASKS OF
MALMSEY,
AT
RUPEES 250 PER QUARTER CASK.

Bombay 26th August 1818.

ADVERTISEMENT.

BILLS on the Commissioners for victualling His Majesty's Navy, in sets of £200, £250, £300, and £500, payable 90 days after sight, may be had on application to Messrs. JOHN LECKIE and Co.

Bombay 26th August 1818.

NOTICE,

THE Dog Lottery, that was formerly advertised to be drawn at No. 9 Military Square, will be drawn on Wednesday next at No. 3 Nisbet Lane.

Any Gentleman wishing to subscribe may still have it in his power, a few numbers being still vacant.

Bombay August 28th 1818.

ADVERTISEMENT.

LETTERS of Administration, of all and singular the Goods, Chattels, Rights and Credits, of Mr. WILLIAM NOWLAND, late of Bombay, deceased, having been granted by the Honorable the Court of the Recorder of Bombay, to the Registrar for the time being of the said Court (Mr. RICHARD WOODHOUSE), all persons concerned are hereby apprized thereof.

Bombay, 22d August 1818.

ADVERTISEMENT.

Notice is hereby given,

THAT SACCARAM GOVIND Senoy has contracted with GOPALL RAMCHUNDRA Senoy to mortgage a large House situate without the Town Walls in the Oart Sakowdey, which he has purchased out of the Estate of the late MUCONDJEE DAMODHERJEE. Purvoe, deceased. If any person or persons have any prior mortgage or demand on the same, he or they are hereby required to make the same known to BALLAJEE DADAJEE in the Courier Office, within 8 days from the date hereof; otherwise the same will not be afterwards admitted.

Bombay, 28th August 1818.

જાહેર • ખબર

ખબર • ફીમાંથી • આપીએચને
શાનવી • શાકારામ • ગોવીનદ • એ • વણી
એ • ગોપાલ • રામચંદર • શાનવી • શાઠે • ગી
રવી • રાખવાનુ • શાતુ • ફીધુછે • ગેહેર • એક
બાકારકોટનાં • શાકોવરી • વારી • મધે છે •
એ • મકનાર મકુન • દામેધરજી • પરભુનાં •
ઇ • રટેટમાંથી • એ • વણીએ • લીધુ • છતુ • તે
એ • હુ પર • કરએક • લાક • અગાર • લાકોનો
ગીરવી • દાનો • અગાર • લેહલ્લુ • ગેમેતીને
વણીએએ • બાલ જી • દાદ જી • ખતરીને •
ફોરી અર • ફારીશમાં • આજથી • દન ૮ માં
અ વીને • જાહેર • કરે • તેમાર • પછી • એ • દા
વો • ફણુલ • ફરશે • નહી ❁

તા • ૨૮ મી • આગાશટ ૧૮૧૮

A CARD,

TO be disposed of by Private Sale at Seroor, a most commodious Room, nearly 60 feet long by 30, with out-houses and every convenience, well worth the attention of a Merchant; with the whole of the property it contains—as well as all the outstanding Accounts—also a neat dwelling House, with out houses, and a Garden with two wells. The above premises is nearly or wholely built of the best Materials—Application to be made to Bommonjee Byramjee, Patsee, at Seroor; who will pay every attention to any person or persons wishing to purchase the above.

Bombay, August 26th 1818.

ADVERTISEMENT.

LETTERS of Administration, of all and singular the Goods, Chattels, Rights and Credits, of MAJOR HUGH SCOTT, late in the military Service of the Hon'ble East India Company, on the Madras Establishment, and Deputy Adjutant General of that Army, deceased, having been granted by the Hon'ble the Court of the Recorder of Bombay, to the Registrar for the time being of the said Court (Mr. RICHARD WOODHOUSE), all persons concerned are hereby apprized thereof.

Bombay, August 26th 1818.

ADVERTISEMENT.

LETTERS of Administration, of all and singular the Goods, Chattels, Rights and Credits, of CAPTAIN HUGH MASSEY, late in the military Service of the Hon'ble East India Company, on the Madras Establishment, deceased, having been granted by the Hon'ble the Court of the Recorder of Bombay, to the Registrar for the time being of the said Court (Mr. RICHARD WOODHOUSE), all persons concerned are hereby apprized thereof.

Bombay, August 26th 1818.

CORRESPONDENTS.

The letter from "A Constant Reader" at Seroor is, to us, perfectly unintelligible.

"A Stroller" shall have the best information we can give, if we are able to obtain 'a peep behind the curtain.'

THE COURIER,

AUGUST 29, 1818.

The few arrivals we have had during the last week have contributed nothing towards replenishing our exhausted stock of European intelligence. The Glorioso anchored in the harbour on Wednesday morning, from Cosier the 1st, and from Mocha the 15th instant; at Mocha, she left the H. C. cruiser Mercury, four Turkish ships, one French brig, and the Melantho free trader from England and Batavia. The Sir Evan Nepean was at Suez, and to sail thence in the course of the present month. The H. C. cruiser Mercury and convoy may be expected to arrive here about the 15th September.

The Diana, Captain Williams, we are informed will sail in the course of to-day. The next ship for England will be the Swallow, for London, to sail about the 10th of September.

The heavy rains that have fallen of late, appear to have caused considerable retardation in the arrival of the dawks. We have no later papers from Calcutta than of the 30th ultimo, or from Madras of the 11th instant. A ship has arrived at Madras which left England on the 14th April, but no news brought out by her has yet been received by us.

If we have forborne to notice all the "at homes" and balls, which, in the course of the present season of hospitality, have enlivened our small society, it has not been from our insensibility to their respective merits or from a want of respect towards the liberal hosts and the fair hostesses who have of late so largely contributed to the social pleasures of this presidency; but from our inability to find adequate terms for describing the slight circumstances which have given a pleasing variety to these enchanting parties. There is so great a resemblance in all the stronger features, that the same outline and masses of coloring made use of in portraying one, must serve, with the addition of but slight and nearly imperceptible shades, for all the rest.

Mrs. Norris's at home, at Braganza on Thursday evening, was a scene of tasteful hospitality, which, tho' not unrivalled, has not been excelled.

The Cholera Morbus continues to rage on this island to a very considerable extent; but, with a few exceptions, has been hitherto confined to the natives.

The different stations on the island appointed for the purpose are kept constantly supplied with the requisite medicines; and the plan adopted has, we are happy to say, been attended with *very great success*.

Amongst a population so extensive as that of this island, many fatal cases must unavoidably occur, in which medical aid may not have been obtained in time, or where assistance has not been applied for, and which are only afterwards ascertained by the police; but even these are proportionally decreasing by the extended measures which have been adopted to meet them.

The following is a list of the stations at which medical assistance may be obtained.

In the *Fort*, to Dr. Maxwell or Surgeon Ogilvy, in Rampart Row.

At *Colabah*, to Mr. Hathway, at the Lunatic Asylum.

In the *Native Town*, to Dr. Taylor, or at any of the following stations;

1. *Kalbadavie division*, to Rama Joshi, at his house.
2. *Gunnesh and Vital-wara*, to Jaghanath Joshi, at his house in Gunesh-wara.
3. *Green Market division*, at the Great Mosque.
4. *Roge Street division*, at the Mosque, in Roge Street.
5. *Musjid Bunder division*, at the Bunder Mosque.
6. *Chich-Bunder division*, at Govindjee Mestri's house, near Chumar-wara.
7. *Dr. Steuart* at his *House* at Mazagon.
8. *Dr. Philipps* at his *House* in Nesbitt-lane.
9. *Materpakari division*, at Pedro de Silva's house, near the Cross.
10. *Mazagon division*, to Pedro Pinha, at his house in Mazagon Bazar.
11. *Khuruk division*, to Fakeer Mahomed, at Enoos Doctor's house, in Enoos Street.
12. *Kirik Bazar Chokee*, near Narron tailor's house.
13. *Nagacha Para division*, at the Bohras' Musjid.
14. *Duncan Road division*, to Benjamin de Quadros, at his house in Duncan Street Bazar.
15. *Bendey Bazar Chokee.*
16. *Byculla Bazar Chokee.*
17. *Bhosleshwer division*, at Bhosleshwer Pagoda.
18. *Outside Police office.*
19. *Kamati Village*, at the Mosque.
20. *Girgon division*, at the Portuguese Church.
21. *Malabar Point*, at the Great Pagoda.
22. *Maha-Lukshmee division*, at the Pagoda.

Matoonga division, to Assistant Surgeon Shepherd, at Matoonga Lines.

Parel division, at Pootlajee Mestri's house, in Parel Village.

Mahim division, to Assistant Surgeon Graham, at the Custom-House.

Salvaçaõ division, at the Portuguese Church.

Worli division, at the Patel's house.

ARRIVAL.]—Cornet Babington, Madras B. Guard.
DEPARTURE.]—Lieut. Lester, Horse Artillery.

NAUTICAL CHRONICLE AND NAVAL REPORT.

BOMBAY.

ARRIVALS.—August 25, Portuguse Ship Sam Jose Americano, Comr. Joze Joaquim Bazilio, from Rio de Janeiro the 14th June 1818.

Do. 26, Ship Glorioso, Capt. John Paterson, from Mocho the 15th Augt. 1818.

Do. 28, Portuguse Ship Gentil Americano, Comr. Joaquim E. Barbozo, from Rio de Janeiro, the 14th June.

DEPARTURES.—August 24, Ship Charlotte, Capt. J. Stevenson, to China,—Passenger, Mrs. Alvares & family.

Do. 26, Ship Dadalov, Capt. Edmond Dyer, to Trincomalie,—Passengers, Sir Thos. Silvestre, Capt. Steward, Capt. Campbell, Ensign Muirson, Mr. Massey, Mr. Paxton, Mr. Spang, Mr. Brooks, 3 European Invalids.

CALCUTTA.

ARRIVALS.—July 27th American ship George, T. West, from Leghorn 23d March.

28, Ship Laurel, H. J. Greene, from Sydney 21st April, and Batavia 1st July.

The Kedgeree Report received yesterday announced the arrival of the ship Governor Petrie, W. B. Greenway, from Bussorah 4th June.

DEPATURES.—July 26th Ship Mandarine, J. T. Ricketts, for Columbo.

Ship Britannia, W. Snoball, for ditto.

Ship Lord Wellington, W. Williamson, for London.

Ship Eliza, J. Pringle, for Bussorah.

27, Ship Barretto, Junior, J. Hudson, for China.

Ship Fame, W. Eastgate, for Columbo.

28, Dutch ship Magnanime, J. Sietzes, for Ostend or Antwerp.

MADRAS.

ARRIVALS.—August 6th, (Arab) Ship Naddershaw, Nacoda Saaik Culphen, from Covelong.—8th, Brig Fox, Captain James Frazer, from Baltimore, 7th May, (Am.)—ditto, Ketch Galliot, Sophia, Capt. M. Freyer, from Colombo. Passengers: Lieut. Kingston, 88d R. and Mr. George Winter.—ditto, H. M. S. Towey, Capt. Hill, from Penang in 20 days.

Passengers: Mr. L. Mervin, Supercargo.

9th, ship Pleurueth Louisa, Capt. Dantzfelt, from Copenhagen, left 15th March 1818, Passengers Mr. Duntzfelt, Mr. Biering, both proceeding to Serampore.—10th, Ship Gen. Graham, Capt. Thomas Weatherhead, from England the 17th February, and Spithead the 1st April, last from the Cape of Good Hope the 1st July.—10th, Ship Recovery, Captain Fatherly, from London 1st March and Madeira 28th June, Do. Rochester, from London left 14th April, and Madeira 9th May.

DEPARTURES.—August 6th, H. C. Ship Prince Regent, Capt. F. H. Harris, for Calcutta.—ditto, Ship Mary Ann, Capt. J. T. Anderson, for Malacca and Manilla.

BOMBAY.

BIRTH.]—On Friday the 21st inst. the Lady of Mr. John Hart, of a daughter.

DEATHS.]—At Kaira, Northern Division Guzerat, in child birth, on Sunday 9th August aged 18 years and 3 months, Elizabeth, the most tender, affectionate, loving and beloved wife of Mr. Conductor J. H. Young, at that station. In justice to her memory, it must be said, although of such tender age, for true christian piety, charitableness, filial duty, pure whiteness of soul and resignation to the Divine Will, and the most endearing, modest and unassuming manners, her equal is not easily to be found. Her loss is sorely lamented by her afflicted husband, and deeply regretted by all those to whom her worth was known.

At Kaira on the 14th Inst. Mrs. Atkins, Wife of Captain Atkins of His Majesty 17th Light Dragoons.

Her loss will be long and deeply felt by her afflicted family, and sincerly lamented by all her friends.

BENGAL.

BIRTHS.]—On the 26th July, the Lady of Dr. Russell, of a Daughter.

On the 27th July, Mrs. C. M. Pratt, of a Daughter.

On the same day, Mrs. J. Hart, Wife of Mr. Thomas Hart, a Master in the Pilot Service, of a Daughter.

At Barrackpore, on the 11th July, the Lady of Capt. Henry Hodgson, of the 12th N. I. of a Son.

MARRIAGES.]—On the 28th July William Tulloh Robertson Esq. of the H. C's. C. S. to Anne Lydia, third Daughter of Colonel Fraser, late of this Est.

On the 25th July Cap. R. R. Young, of the 27th N. I. to Miss Sophia Charlotte Hickey.

DEATHS.]—29th July Master Thomas Weston Bolst, aged 15 years.

On 25th July, Lieut. A. T. Pyne, of the 2d N. I. aged 28 years.

On the 25th July, Captain F. H. Price, of the Country Service.

On the 22d instant, Lieut. W. C. Holmes, of H. M's. 59th Reg.

At Berhampore, on the 2d July, of a bilious fever, Mr. A. M. Gardiner, in the 22d year of his age.

MADRAS.

BIRTH.—On the 7th of August, the Lady of the Rev. W. Malkin, Chaplain, of a daughter.

DEATHS.—At Calicut, on the 18th July, after a short but painful illness which he bore with christian fortitude and resignation, Mr. George Newton, aged 52 years.

At the Presidency, on the 9th August, the Infant son of Thomas Allsop, Esq.

Ceylon Intelligence.

COLOMBO.

25th July 1818.

It is with great satisfaction that we give our readers the following extract from the Calcutta Government Gazette "His Majesty's "59th Regt. now in Fort William, and the "20th N. I. are ordered round for Ceylon, "and also a Company of Golundauze. The "whole of the European Regiment has been "ordered to proceed to Fort William, as soon "as boats can be provided." This confirmation of our expected assistance from Bengal, for we never doubted that it would be granted, is highly gratifying at the present moment, when the want of a greater disposable force is so manifest: the Rebels disheartened by our late successes in Oovah have suddenly shifted the direction of their operations upon the 4 Korles, where they have made no impression and we have good reason to believe they will be completely baffled: Still it is very difficult with a small force to be prepared at all points to meet the attempts of such a fugitive, unencumbered foe; and however successful we may be, the duty must be very harassing to the troops; The Governor General has doubtless contemplated our situation with the eye of a Soldier and a Statesman. He well knows the vital importance of employing a sufficient force at the outset of a war, and the miserable economy of starving the cause by a frugality which is sure to end in a waste of blood and treasure. He regards this Island not as a foreign Government which it may be, just according to circumstances, politic to assist, or prudent to neglect, but as an integral part of the British empire in India, which the honour of his country calls upon him to defend. It is a paramount duty which admits not of hesitation, and no plea but that of absolute necessity could even justify delay before the bar of the English Public.

The Marquis of Hastings would consider his glorious termination of the wars upon the continent as imperfect were he to leave Ceylon to struggle alone against her rebel foes, aided as they are by so many advantages of climate and country; His very triumphs would rise up as witnesses against the cold policy which could deliberate upon the propriety of sending in the midst of complete security founded upon decisive success, the succour required by a British Settlement under the King's Government. His Lordship is of too liberal and enlightned a mind to doubt upon such an emergency for an instant.

The late movement across the Mahavillaganga of the Rebels, headed, as there is every reason to belive, by Kappitipola, has of course drawn with it the chief attention of the Public to the consequences of this incursion. We are so well acquainted with the impotence of Kandyan prowess in any thing like an attempt to carry on a real military operation, that the only risk to be apprehended from Kappitipola's entry into the 4 Korles, was lest he should have been invited by the Chief men of that

Digitized with financial assistance from the
Government of Maharashtra
on 08 April, 2017

country, lest he should have had the whole population to second him, and be thus enabled to carry on that distressing kind of warfare which they so well understand, waylaying our convoys, cutting off our Tappals or unarmed messengers, and annoying our escorts from behind rocks and bushes on the line of communication with Colombo. But we learn with much pleasure from every account, that there does not appear any siga of disloyalty among the people of the 4 Korles, nor any symptom of Kappitipola's having entered that Province, upon a pre-concerted plan and by an invitation from the Inhabitants. The course of his march has been marked by cruel treatment of the people and indiscriminate destruction of their property. He has been joined by none, and all his conduct shews that he entered the country as an enemy, not as a friend. It is highly probable that tomorrow's post will bring a decisive account of the overthrow and dispersion of his whole force: it will be complete indeed, if we can add the capture of his person.

It appears by accounts from Badulla of the 14th Inst· that the Parties at the different posts in that quarter and those employed in protecting the Reapers at Hornatotte and Kanawerelle in Yattakinde have been very active in annoying the Insurgents, guided by the People who have recently submitted.

Major Coxon reports that the people about Bootle are now submitting, in great numbers.

We are sorry to learn that active opposition has been again commenced by Kettekelle Mohotale in the Idalgashena Pass and that a Soldier of the 19th Regt. in the last Tapall Escort, was severely wounded there.

In addition to the foregoing gratifying intelligence we have much satisfaction in stating the result of a well planned and executed night enterprize, from Vellenghena (where Captain Fletcher commands:) Ensign Nehill of the 83d Regt. succeeded after an arduous and fatiguing march in securing the Wife and family of the Dambawinna Dessava the Oodepalata Mohandiram and about 50 prisoners men and women with several stands of arms.

The result of this success has been that the Dambawinna Dessava surrendered himself to Captain Fletcher and tendered his allegiance to Government on the 20th instant: He has directed all his people immediately to follow his example and much good will doubtless be derived from the known power and influence of their Chief in Upper Oowa. It is gratifying to understand that at the Post of Vellenghena Capt. Fletcher has no less than 150 Kandyan families who have placed themselves under British Protection and there is every reason to imagine from the influence which will naturally be produced by recent events on the minds of those who may be still wavering in that quarter that this number will in the course of a few days receive a considerable accession,

From our latest accounts of the state of the Seven Korles, all appears to have been quiet there for some days and the 12 Lower Pattoos are represented to be in perfect tranquility.

Calcutta Intelligence.

CURRENT VALUE OF GOVERNMENT SECURITIES.

Buy.			Sell.	
Rs.	Ans.	July 29, 1818.	Rs.	Ans.
5	10	Six per Cent. Loan Obligation.	6	2

It is said that the 20th Regiment of Native Infantry will embark about the 5th proximo for Ceylon.

On Tuesday a Royal Salute and three volies of musketry were fired from the Ramparts of Fort William, in honor of the accession of his Highness Maharajah Ragojee Bhoosiah to the Musnud of Nagpore.

[*Govt. Gazet. July* 30, 1818.

Madras Intelligence.

The same extraordinary weather continues to prevail on this Coast, which has been experienced for the last six weeks. The Country has been literally inundated with rain, and the Rivers, both to the Northward and Southward, are as much out as during the Monsoon. Meanwhile we are happy to learn that Madras continues as healthy as during the same season of any former period.

The long expected free trader General Gr——m, Captain Thomas Weatherhead, anchored in the Roads yesterday morning. She brought seven Parcels of "Ship-Letters," but no news. She sailed from Spithead on the 1st of April.

PASSENGERS.

Mrs. Brighton, Mrs. Sme, Messrs. T. Milton, T. Fleming, T. Sme and R. Brighton, Missionaries.

From the Cape—Mrs. Wilkinson, Captain Wilkinson, Lieut. Dewall, and Mr. John Wilkinson.

His Majesty's Ship Towey, Captain Hill, came in on Saturday from Penang, which she left on the 20th ultimo. She brings no particular news from Prince of Wales Island.

Mr. Phillips, late Provisional Governor of the Island, was married on the 10th of July to the eldest daughter of the Honorable the Governor, and on the same day Miss Jessie Bannerman, niece to the Governor, was married to Lieut. and Adjutant Burney of the 20th B. N. I.

The Honorable Company's Ships Buckinghamshire and Earl Balcarras, touched at Penang on their way to China, and sailed again on the 10th of July—The Honorable Mr. Van Braam also touched at the Island about the same time on his way to Batavia.

The intelligence we communicated in our last number, of four men of War, having been put in commission in March, for this station, is, we are given to understand, correct. Captain Plumridge, who was lately in this country, we learn has been appointed to the Sappho, which was fitting out at Portsmouth for these Seas. She will probably be the first arrival.

We stop the Press to announce the arrival of the Rochester, India Packet, Captain Sutton. She sailed from the Downs on the 14th of April and Madeira 9th May.

PASSENGERS.

Mr. John Maitland, Merchant, and Mr J C. Morris, Writer, for Madras—Messrs. C. H. Philips, H. T. C. Therr, D. Nisbett, G Ross, D. Bevell, Writers—and Mr. George Carby McAndrew, Free Mariner, for Bengal.—Messrs J. Davis C. C Buckinge, C. T. Munro, C. W. Davies E Doveton, and A. McCalby, Writers, for Bencoolen.

The Packets were not landed late last evening. We have as yet from the late hour at which the above Vessel anchored, been unable to obtain any intelligence.

The free trader Recovery, Captain Fatherley, also came in last evening. She sailed from the Downs so far back as the 1st March.

PASSENGERS.

Messrs. H. S. Burgess, F S. Scott, Cadets for Madras—Messrs. J. A. Thompson and James Tweedie, Cadets for Calcutta—Mr. W. Barnes free mariner, Mr. G. Warde, Esq. Civil Service, Calcutta, Mrs. Warde, Miss Toone and Miss Grant.

[*Madras Courier, Aug* 11.

ENGLISH EXTRACTS.

THE TIMES.

MARCH 4TH 1818.

LAMENTABLE CATASTROPHE.—The following distressing accident happened at Tewkesbury, on Saturday afternoon:—As Lieutenant Richard Brydges, R. N., with his brother Thomas, a Midshipman, and his youngest brother, Charles, (all sons of M. Brydges, of that borough,) accompanied by Lieut. Butcher, R. N., were sailing in a pleasure-boath upon the river Severn, about midway between the Upper and Lower Lode, a sudden gust of wind upset the boat; and melancholy to relate, the whole of them were drowned, with the exception of Mr. Thomas Brydges, who, with very great difficulty (owing to the strength of the current occasioned by the flood) got to the shore in the most exhausted state. Mr. Brydges had sailed down the river from Tewkesbury with a party, but got on shore at the Upper Lode, to await their return, and get refreshments provided for them; and thus probably he escaped the deadful fate which, in a few minutes, overtook his unfortunate children and their friend. Lieut. Brydges was in his 26th year.

MARCH 6.

Yesterday, among other ingenious inventions submitted to the Board of Longitude, one, countenanced by the Board, and recommended to the Lords of the Admiralty for immediate trial, is likely to facilitate the object intended in exploring the Polar regions. The merit of this invention is, that it works horizontally and vertically, assuming the magnetic meridian by its own action. The inventor is Mr. Lockwood, of the navy.

Marlborough-street.—Diappearance of a Young Nobleman.—Information was given at this office on Wednesday, that Lord C. M., the second son of the Duke of A——, had suddenly deserted his paternal roof, under circumstances of rather an extraordinary nature. For some time past, the young gentleman, who is only 19 years of age, has been observed to be very low and dejected. He always seemed to court solitude, and took a more than common pleasure in perusing religious books and publications. He is an excellent scholar. The object of the Missionary Society was one which struck him as most laudable, and at length engrossed so much of his attention, that he seriously expressed his determination to go on a mission himself. This step was opposed by his friends; but their advice had no weight. The youth had already formed his opinion on the subject, and finding that he was unlikely to receive the approbation of the noble Duke, his father, he secretly left his paternal mansion, without any considerable sum of money, and has wandered, no person knows where. As soon as his flight was discovered, the family were in the greatest terror and confusion. Hand-bills and placards were posted in all directions, describing his dress, and offering a large reward to any person who could give information respectiing him. He is six feet high, blue eyes, and light complexion. Intelligence was received at this office, that he had been seen at Brighton, and in consequence, an officer was sent to that place with all despatch, but failed in the object of his search; and, receiving a further clue, set off, post haste, for Portsmouth, where no intelligence of him was received. We understood, however, yesterday, that he had returned, and that he is at present in his father's house. He was discovered at the Albany-tavern, Rotherhithe. It appears he had slept there one night, and in consequence of his leaving a letter by mischance in his room, in which there was mention made of his family,' the landlord, from finding the description given of him in the posting-bills correspond, sent a messenger to his friends, when his tutor and servant, accompanied by two police-officers, went and brought him home.

MARCH 19.

COURT OF COMMON PLEAS,

GUILDHALL, FEB. 27.

Before Mr. Justice PARK *and a Special Jury.*

GORDON V. GORDON.

The parties in this cause are brothers. It was an issue directed by the Court of Chancery, to try whether Mr. Harry Gordon, the plaintiff and elder brother, was legitimate son of the late Colonel Harry Gordon, the father of the parties, who died in 1787. It was admitted that a public marriage had been celebrated between the father and mother at Philadephia, in America, in 1763, a short time before the birth of the defendant, Mr. James Gordon, who claimed the family estates; but contended by the plaintiff, who was born in 1761, that his parents had been privately married by the Chaplain of a Britsh regiment in Philadelphia, in 1755, in the presence of Dr. Adair, a surgeon in the army, and a Miss Peake, shortly after the defeat of General Braddock, at the battle of Dequesne, when Colonel Gordon, then attached to the engineer department of the British army, was wounded. In the course of a variety of evidence adduced to establish the fact of a private marriage, Mr. West, the venerable President of the Royal Academy, who is a native of Philadelphia, & was acquainted with Mrs. Gordon and her family, in America, from her childhood; the Rev. Dr. Combe, also a native, and formerly resident minister at Philadelphia; Mr. Stewart the physician to the family, when they resided in the West Indies; Mr. Adair; the Rev. Dr. Hogg, who had been the private tutor to the plaintiff and defendant, and other witnesses, were examined; and among the documentary evidence produced, the depositions of the late Mrs. Gordon. and General Adam Gordon, the mother and brother of the parties, and Mr. Stephens, who resided with the family in America, in 1795, were read. The trial occupied the Court 10 hours, when the learned Judge having recapitulated the evidence at great length, and commented thereon with his usual perspicuity, the jury, without retiring from the box, returned a verdict for the plaintiff, Mr. Harry Gordon, thereby establishing his legitimacy according to the law of England; for, by the law of Scotland, he was legitimate in either case.

The remarkable feature in this case was, that parties who had, in fact, been legally united by a private marriage, thought proper so many years afterwards to go through the public solemnity; but this was accounted for by an impression which appeared to have existed (though without any foundation) in Colonel Gordon's mind, that the former ceremony had not given sufficient validity to his union, and hence this appeared to be one of the many cases where the measures which misinformed persons ake for greater security against future litigation lead directly to the very evil which they wish to avoid.

The defendant's case was ably argued by Mr. Sergeant Best, but the Court and Jury were fully satisfied of the plaintiff's legitimacy.

NEW TIMES.

MARCH 24.

The Prince Regent has appointed Lieutenant Colonel Sir James R. Colleton, Bart. to be Assistant Quarter Master General on the Staff of the Army stationed in Ireland, from the 25th Sept. last, vice Lieutenant-Colonel Waller.—Sir James is to be stationed in the South Western District, until further orders.

The Prince Regent has also appointed Brevet Major Henry Grove, on the half-pay, to be Assistant Adjutant General on the Staff of the Army serving in Ireland, from the 1st of March instant, vice Lieutenant-Colonel Colquhoun.—Major Grove is to be stationed in Dublin.

HOUSE OF COMMONS.

MARCH 17.

MAGISTRATES VISITING GAOLS.

Lord Folkestone said, he conceived that a bill was wanting to settle the question as to the power of magistrates to visit gaols, and to determine whether the power should exist or not; or to what extent, and in what circumstances, it should exist. It was desirable that this matter should rest on certainty. He wished to settle the question by giving magistrates the power of visiting; but if gentlemen held a different opinion, they need not object to his having leave to bring in a bill, as it would give an opportunity for having the question fully discussed, & for settling when the power should or should not exist. He trusted that leave would be given him to bring in a bill to remove doubts as to magistrates visiting sheriffs, gaols, as doubts were entertained on that subject. The house might recollect, last session, that some magistrates were prevented from visiting Berkshire gaol, by order from the Secretary of State. He had brought the matter before the house, and had applied several times for admission to the gaol. He then carried the question to a court of law; but the defendant was acquitted, and thereby the question was decided against him (Lord Folkestone.) The verdict in this particular case was decisive. He had attended the trial, and he had carefully examined the proceedings and the summing up. But he thought no decisive opinion was pronounced; but that there were evidently doubts on the point. It was painful to make particular remarks; but yet he must complain that there appeared a partiality in the judge, not a personal one, but to a particular side of the question, during the whole of the trial. He had witnessed the whole of the proceedings, and had considered them over & over again. No man, he thought, could say that much might be said and considered on the opposite side. The judge had spoken of his having consulted books, but he came to a doubtful conclusion; never saying what could be urged in favour of a different conclusion. On this occasion the question chiefly turned on the 5th clause of the statute of the 31st of the King. The act was entitled one for the better regulating of gaols. Great part of it did not refer to the gaols he alluded to but he thought the clause he had noticed did comprehend them. The preamble spoke of gaols, houses of correction, penitentiaries, and places of confinement; but in some respects was rather equivocally worded. A forced construction seemed to have been put upon it. The first four clauses related to penitentiaries, houses of correction, &c.; but the fifth clause spoke of preventing all abuses in gaols, and other places of confinement. Other clauses had reference to all gaols, & to the fees of gaolers, considering them as officers of the sheriff. The 11th clause referred to sheriffs' gaols. Some clauses which he had read over a hundred times were decisive in his mind. It was directed that returns should be signed by one of the visiting magistrates, who, he must suppose, were meant to be the visiting magistrates of the particular gaol. This was the only clause of the kind to be found in any act. He thought still that the clause referred to sheriffs' gaols. He supposed the act was to be explained on the same principles as other acts. It is applied only to houses of correction; some parts of it were useless. The act of George II. enacted that there should be two visiting magistrates. The point should be settled as to who had, or who had not, the power of visiting. By the 19th of the King power was given to visit in the same words as had been used before. He did not conceive that the warrants of secretaries of state, the producing of which occupied an hour and a

half, materially affected the question. The Lieutenant of the Tower brought down a portmanteau filled with them, and the object seemed to be to show, that by keeping "safe and close," was intended secret confinement. By looking at Bacon and Hawkins, he found that those words might run in any warrant, as it was the gaoler's duty to keep his prisoners safe. He would deny that these words mant solitary confinement. He thought nobody understood them so. On a complaint of persons going out of the Marshalsea Prison, Lord Coke said, they should be prevented from going out, and should be kept in safe and secure custody. In the year 1691, several state prisoners applied to Lord Chief Justice Holt, for permission to their friends to visit them before their trial came on. Their application was complied with, and their friends were permitted to see them under certain restrictions. He had made inquiry, and by some expense of time and money he could prove to the house that the same practice was continued since that period. Under the successive acts of snspensions that had taken place, both the friends of state prisoners and the magistrates of the respective counties were permitted to visit them. The 36th of the King extended the power of visiting to all cases of imprisonment. If this act exepted state prisoners by implication or otherwise, it violated the preceding practice, and this no one pretended to affirm. Safe and close custody meant merely secure detention within the walls of a gaol. The inference, then, he deduced from all those observations was, that unless usage could be shown to be hostile to his interpretation of the act, which he was confident it could not, magistrates were entitled to visit state prisoners; and in order to make this doctrine indisputable, he moved for leave to bring in a bill to remove doubts, whether 36th Geo. III. ch. 46. extended to common or county gaols.

The Attorney-General began his speech by animadverting on the noble lord's allusions to the learned judge who presided at the trial. He had accused him in plain terms, in the House of Commons, of partiality. No charge more serious could be brought against any public man. For a judge, who was sworn to administer the law impartially, to perform any thing which indicated partiality, whether from political motives or otherwise, was to be guilty of every thing base in conduct. He was astonished that the noble lord should have made such a charge. He was not present at the trial, but he learnt from those who were there, that the learned judge had given the most patient and laborious attention, and without interruption, during the whole course of the trial. He had given the most patient and laborious attention to the ingenious but fallacious arguments of the counsel for the plaintiff. He had also given every attention to the case of the defendant. And here he would put in, by way of parenthesis, that the defendant had been punished by the magistrates before his trial. *(hear, hear.)* After he had been twice condemned at the quarter-sessions, he might reasonably have called upon the justice of his country to protect him from oppression. The noble lord had accused the learned judge of partiality; let him not be too sure that his own mind had not been biassed, and under the influence of partiality, when he acted twice as judge to try this man at the quarter-sessions. (much cheering.) Before his trial the defendant had been condemned by the whole of the Berkshire magistrates. 'No, no, from the Chancellor of the Exchequer.) He had to ask pardon of some of the magistrates, for all had not agreed in the sentence of condemnation, but the greatest number had punished him before his trial. The unfortunate man was thus placed between the magistrates on the one hand, and the High Sheriff and his Majesty's ministers on the other; for he had acted by their authority. Yet he would challenge contradiction from any gentleman in Berkshire when he said, that from the first moment of his appointment to be goaler, and during the whole period of his life, there was no man more deserving of the approbation of his superiors, of the respect of his equals, and, he would say, of the gratitude of the unhappy persons who were prisoners under him. Even the noble lord could impute no impropriety to him up to the particular conduct in question. The learned judge had said, that up to the present case nothing appeared against the defendant, and he then stated the law and evidence of the case. If he were to give his opinion of the conduct of the judge, he should have said that he had not stated the law quite so strongly as he was entitled to state it. The question was, whether magistrates, visiting magistrates, or others, might go into gaols for the purpose of questioning state prisoners. The right of questioning was evidently the object in view, for the noble lord had visited, and had himself stated that his object was not visiting the prisoners, but having communications with them. The act did not afford any pretence for such a right, although he would admit that it was, in some respects, strangely constructed. But if the statute of the 31st of the King were such as the noble lord contended, he would not only agree to the introduction of a bill, but he would himself bring in a bill, not to explain, but to repeal the statute. When a series of acts were passed on any subject, consequences might be deduced from them which had not been foreseen, and which, if they had been foreseen, would have prevented their passing. The 31st of the King, he contended, referred to common gaols. They were the gaols of the King, under the superintendence of the high sheriff. In the reign of Edward III. a statute was passed to restore (he believed restore was the word) gaols to the ward of the sheriff. They had probably been previously invaded and visited, whether by magistrates or others he could not say. In the reign of Henry VII. a statute was passed, in which they are called the King's goals, as in the reign of Henry III., and by which the sheriff is authorized to appoint keepers and other persons for the management of gaols. The sheriff was thus placed in an awkward predicament. He was responsible by the common law and by statute, to the extent of his fortune, for the safe custody of prisoners. Yet the noble lord contended that the magistrates were to visit all prisoners, debtors, felons, traitors; by traitors he meant persons imprisoned on suspicion of treason. There were times of treason and rebellion when such a power would be most dangerous. In the case of a disputed succession, when men of rank and fortune were on different sides, what should prevent communications between disaffected magistrates and prisoners for treason, who ought to be kept in close and safe custody? These words he did not understand, as the noble lord understood them to mean only, confinement by the mere walls of a prison. The noble lord had said that there had been a great parade of warrants sent down into the country. Those warrants, in the very terms of them, proved the distinction between safe custody and close custody. Some of them, the original warrants, expressed, "You are hereby ordered to keep him safe." In the succeeding warrants, it was, "You are to keep him close."

Lord Folkestone said all the warrants were of the same date.

The Attorney-General.—Whether they were so or not, the terms made the distinction quite clear. Close meant that they were to be excluded from all communications on account of the suspicion of treason,—safe referred to their custody in all other matters. Those warrants distinguished between persons accused of different offences. Persons committed for treason, for wise purposes, and for the general safety, were to be visited by none, strangers or others, without leave from those who had granted warrants for their committal. If the 31st of the King entitled all magistrates to visit such prisoners (for that was the claim made by—the noble lord) he should humbly, but he was wrong to say humbly—he should confidently bring in a bill to repeal it, as inadvertently passed. The learned judge had said, that the 31st of the King did not apply to the case as proved. Having full confidence in the opinion of the learned judge, he would contend, that he had been right in saying so. The noble lord's object now was, to effect, if he could, by a vote of parliament, a most detrimental purpose— to entitle magistrates to visit prisoners confined on suspicion of treason. He had all respect for the magistrates; voluntary magistrates were most respectable and most useful characters; but he could not consent that, because they were in the commission of the peace, they should destroy the prerogative of the crown and the right of the sheriff. Parliament never ought and never would give magistrates such a power. That they had certain powers respecting gaols was undeniable. The 14th of George III. empowered them to have the walls of gaols whitewashed once every year. Another statute gave them the power of ordering repairs. Another authorized them to lay out 200l. in repairs, without the order of the quarter-sessions. The noble lord once did visit the gaol in question, and another time offered to visit it. Nay, this unfortunate man—for unfortunate he was, notwithstanding his acquittal on a criminal information—this unfortunate man at one time proposed to the noble lord to see the prisoners, and to have such and such conversations with them in his presence. The noble lord then cautioned him to beware of offending his superiors by doing so (hear, hear, from Lord] Folkestone). Why did he state this? It was in order to show that the noble lord's object was not to visit particular persons, but to assert a right, (hear, hear, from lord Folkestone), aud to destroy the prerogative of the Crown. If then the noble lord did not attempt to carry the right beyond the bare act of visiting and inspecting the gaol, the introduction af a bill was unnecessary; if he attempted to carry it a single iota farther, it would be most detrimental. If doubts had been shown to exist with regard to the mere exposition of a cotemporary statute, he should think there was some ground for the proposed motion. But there could be no doubt whatever ns to the object and meaning of the act of 1791; and the true question before the house was, whether it would suffer the prerogative of the Crown, as it existed under the ancient common law, to be destroyed by a proceeding of this nature. The act on which the noble lord relied had passed in 1791, previous to times not only of danger and alarm, but of very great division of opinion on political subjects; and no such construction had by any human being, before the noble lord, been represented to be the true construction of the statute. He should oppose the introduction of the noble lord's bill, therefore—first, upon the ground that it was unnecessary, with reference to the meaning of the act of parliament; and secondly that if adopted, it would be highly detrimental to the best interests of the country.

Mr. Sturges Boiune did not rise to attempt to add any thing to the unanswerable argument of his honourable and learned friend, but to state one or two facts as they had been represented to him and which had not been stated, or stated in a different way, by the noble lord. A charge had been preferred against one of the 12 judges, not in a place where he could, but where he could not, answer it, of no less serious a nature than that of gross partiality in the administration of justice. Nay, the noble lord had gone farther, and intimated his opinion, that impartiality of conduct was not to be expected from that judge in any suit to which the Crown was a party. Now, after such a charge, it was perfectly fair to ask whether the noble lotd himself, in this view, stood, as it was called, rectus in jure. (hear.) That part of the case had not been stated in which the noble lord had advised the magistrates of Berkshire to suspend the gaoler, and to punish him before trial. Neither was it usual, hn believed, at quarter-sessions, to direct the publication of their proceedings in the newspapers, or at least of such proceedings as were only preliminary to trial. The names, of the magistrates who voted for the punishment of the gaoler had, however, been appended to a copy of their resolutions in the country newspaper; and although 13 voted against them, the names of these magistrates were included in the 30 who were present at the discussion of the subject. If this statement was correct, the noble lord might continue to make declarations of his zeal for liberty, but his conduct had already given an answer to them all, (hear hear, from the Ministerial benches.)

Sir F. Burdett observed that he knew nothing of the circumstances on which the hon. gent. had animadverted, but he had that confidenee in the candour and fair deling of the noble lord, that he doubted not he would explain them to the satisfaction both of the house and of the conntry. The house had heard much of tbe hardship of punishing a man before trial, but this was not a case of that description. The gaoler was the servant of the magistrates, and they had removed him from the governorship of the penitentiary over which they had a control for disobedience of their orders. This was not done by way of punishment, but in order to try the question as to the legal right of the magistrate. (a lough.) He did not say that they acted advisedly, but he belived it was with the view he had stated. Now, with regard te the old common law on this subject, he had always understood it to be, that the prisoner ought to kept out of the custody of the Crown, and that, upon this principle, was ordinarily ommitted to the custody of the sheriff, tbe old constitutional officer. For the same reason a practice was frequently adopted of committing him to the custody of his friends under their respensibility. But if by close custody was meant solitary confinement, he would assert that it was totally unknown to the ancient law. It had been argued, that because the common gaols were the King's gaols, neither sheriff nor magistrates had a right to visit persons confined in them on charges of high treason. They were called the King's gaols in the same manner as the high roads were said to belong to the King, and meant no more than that they were used for a public purpose. If, however, there were doubts on the legal question, it was necessary that they should be immediately set at rest. Although the hon. and learned gent. had no doubt on the subject, other gentlemen of the profession equally learned, might entertain very considerable doubts.

The Solicitor-General contended, that the only ground for the present motion was, the acquittal of Eastaff. His trial was in fact the trial of the legal right claimed by the magistrates, & if that claim had been found inconsistent with the law, was the house prepared to say that the law ought to be changed? (hear, hear, hear,) Before the act of King William, the prisoner's counsel, in cases of high treason, could not visit him; and if it had been meant to extend the same power to every magistrate, would not the statute have expressly said so? In such cases no person had ever been admitted, expect by leave from the Secretary of State, or the Court where the indictment was found. The act of William was therefore passed wholly diverso intuitu, and strictly confined the right to the counsel for the prisoner. If it was proposed to enact a new law, he thought it would become the house to pause and maturely consider what might be its consequences. With regard to the particular circumstances of the case, and the assertion that no punishment had been inflicted on the gaoler, it was remarkable that the magistrates had suspended him from the government of the penitentiary, an office in which it was not even pretended that he had misconducted himself. (hear, hear, hear.) They had thus suspended him before trial, for having, as it now appeared, acted according to law, and for having discharged his duty. The accusation of partiality came, therefore with a very ill grace from those who had deprived and punished a man only for having rightly decided on what must have been to him a very doubtful point of law. (hear, hear,)

Lord Folkestone, in reply, declared that he had heard for the first time that night that this was a legal question with respect to which no doubt could be entertained. If such was the case, the proposition which he had thought it his duty to submit was certainly untenable, for it amounted to no more than this—that if doubts existed, it was expedient to remove them. He was disposed to pay the utmosnt deference to the opinion of the Attorney-General, and if he pronounced the meaning of the act to be clear and indisputable, had no wish to press his motion. He must, however, repel the insinuation that he had ever intended to introduce more than readily met the eye; and should not probably have been induced to bring the question forward, but for the language so indicative of doubt which had been employed by the learned judge who tried the cause. His own personal conduct had been so called in question, that he felt it necessary, however painful, to take up the time of the house with a few observations. He must deny, in the first place, that he had ever demanded a secret communication with traitors or spies, but he knew nothing unbecoming the character of a magistrate in asserting an unqualified right of admission to the county gaol. (hear, hear, hear.)

(Continued in the Supplement.)

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SUPPLEMENT TO THE BOMBAY COU

SATURDAY, AUGUST 29, 1818.

(*Continued from the last Page*)

He acknowledged that admission had, on his first application for it, been afforded, but he refused to accept it because it was clogged with stipulations. Wishing, however, afterwards to see the rooms and accommodation provided for the prisoners, he signified his willingness to enter, remarking at the same time, that the gaoler would perhaps offend his superiors by permitting him without satisfying his claim, to be admitted without any conditions, and as matter of right. The gaoler then refused him admittance. As to the allegations with respect to punishment before trial, publications in newspapers, and his omission of parts of the case, he must observe that he had not pretended to state any part of it. The honourable member (Mr. S. Bourne) was therefore incorrect in charging him with concealing or disguising any of its circumstances. He had never shown the slightest animosity against the gaoler, though he did not believe that his merits justified the eulogium which had been passed upon him. On one occasion, he had declared that he believed the magistrates were right, but he had received different orders from his superiors. A formal complaint was at length preferred against him at the quarter-sessions and the resolutions on the subject were passed unanimously. He was called in and admonished, upon which he supplied for permission to write first to the secretary of state, which was refused, and he then promised compliance. A fortnight after, he again refused to admit the magistrates, on the ground of a letter he had received from Lord Sidmouth in the interval. At the following quarter-sessions a very full bench of magistrates appeared, many having newly taken out their qualification, with a view of reversing the formal order. A second complaint was however made, and an indictment being preferred, the grand jury found a true bill. As to the temporary suspension of the gaoler, he still thought, after all he had heard, that the magistrates would have been wanting to their own dignity, if, after indictment found against him, they had still continued him in their service. The resolutions were published by the order of the majority, & against his inclination. The noble lord concluded with saying, there could be no doubt that this clause referred to county gaols, as well as to all other gaols.

Mr. S. Bourne said a few words in explanation, after which the motion was withdrawn.

[MARCH 18.

SPANISH CLAIMANTS.

Dr. Phillimore said, he had considered the subject attentively, but it would not be necessary for him to trespass on the time of the house. They were aware that by a late treaty 400,000l. were given to the Spanish government for the purpose of compensation. It appeared, from a petition on the table, that the property in question might be divided into three classes; first, the ships and cargoes condemned in the colonies; secondly, the appeals in progress; and thirdly, the case of claimants who had obtained decrees of restitution. He was free to admit that the King of Spain had power to act respecting his own subjects; but he wished to confine himself to Spanish claimants who had got sentences for restitution. Other parties, besides the King of Spain, were concerned in this question; and the credit and character of our own tribunals were interested, as the parties conceived they were a pledge of the repossession of their property. There were four cases on the subject;—one was in 1817, the 3d case was in last May, and the 4th (that of the Rosa) in last December. The treaty with Spain was negotiated in September, and ratified on the 27th of November last. The principle of restitution proceeded on the public law of nations. We ought to maintain the proceedings of our own courts inviolate towards foreigners as well as towards ourselves. Happily, at present, the public law was considered operative for all the independent States of Europe. It did not rest on abstract and speculative notions; but had arrived at a sort of certainty, somewhat similar to the practice of municipal law. Nowhere could the courts stand higher than in this country. The decisions ought, therefore, not to be rendered a mere nullity. Our decisions were known and respected throughout Europe. As the matter now stands, the parties in possession of sentences of restitution had little more in their hands than waste paper; a merely nominal restitution. From the nature of the property, the things themselves could not be restored; but the full value should be given under the decree. By the act of 1815, restitution was to be made in certain cases for property in slaves, though the slaves could not be restored, after the production of the copy of the sentence of restitution. The party was to get restitution from the treasurer of the navy. 48,000l. had been paid to French claimants, under the act. Regard should be paid to the faith and credit of the British tribunals, so that their sentences should not be vilified, and rendered of no effect. Those who had opposed our commercial prosperity had asserted that the decisions of our courts of public law were of a political character. The best refutation of such assertions was to demonstrate the contrary. His object was to secure for those who had obtained sentence of restitution, payment of their claims out of the 400,000l. given by this country to Spain. To prevent misapprehension, he took the opportunity to say that he was most anxious for the total abolition of the slave trade. Notwithstanding the sacrifices we made, the treaty with Spain was of great value. It was most important to have got an acknowledgment in favour of the abolition from Spain, whose prejudices had been so hostile to it, whose traffic in slaves had been so extensive, & whose flag had been prostituted to the protection of contraband traders from other nations. (hear, hear.) It was most important to have obtained a distinct & definite period put to the trade in slaves north of the Line. It was most of all important to have obtained the right of search, without which all other provisions would have been ineffectual. (hear.) But the question now submitted to the house was altogether independent of the slave-trade. He concluded by moving, that an humble address be presented to the Prince Regent, praying that steps may be taken to secure full restoration of their property to the several Spanish subjects who have obtained judgment in favour of their claims in the Admiralty Courts of this country.

Lord Castlereagh had heard with much pleasure the speech of the learned member, and had been much gratified by the fair and clear manner in which he had treated the subject; at the same time he hoped to satisfy the house, that the distinction attempted to be established in favour of the claimants in question was not warranted. He should first offer a few observations on the ground on which he was to argue this question with the honorable gentleman. The proposition on which he should found his answer, and which the honorable gentleman could not dispute, was this:—One sovereign had the right to entering into a composition with another sovereign, respecting the claims of his subjects. This proposition he founded not only on the law of the land, but on the nature of the subject. It was the imperious duty of a sovereign to interfere for the interests of his subjects. But if he were precluded from any modification of those interests, what an extent of war & difficulty would they not lead to? Now, of this modification the Crown was the only authority to judge; if it were not, & this matter were subject to individual negotiation, no alternative would have be left to the Crown but war, or an abandonment of the subject's claim. Such a power must therefore reside in the Crown, and the best legal authorities had stated, that it did reside in the Crown. But he did not rest this doctrine solely on the reason of the thing, and the authority of general law; there were cases distinctly in point which put the matter beyond dispute. By the treaty of Vienna, in 1815, 300,000l. were given to Portugal, under the very same description as the 400,000l. were given to Spain in the present case. Whether any of the cases comprehended in it had come to the last stage and obtained judgment, he could not say. But he particularly referred to the treaty with America in 1783. The subjects of this country had access to the courts in America for redress from any injury or loss they had sustained. In many instances they had prosecuted, and obtained justice. But so many instances of difficulty and disappointment had appeared, that the sovereign entered into a stipulation with the American government. There were two modifications entered into on the subject. The first established the right of going with claims not to courts of justice, but before commissioners, who were to examine them, and to order payment. The proceedings before the commissioners not having given satisfaction, a second modification was entered into, in 1794, which compounded the whole claims for 600,000l. This composition was received by the Crown, although the claims, if prosecuted, would amount to 5 or 6 millions. Whereas here, the sum given to the Spanish King was not only ample enough for all the claims of his subjects, but it was considerably beyond their amount. The precedent of America, followed by the treaty of 1815, and the common sense and laws of nations, thus established the right and power of one sovereign to compound with another for the interests of his subjects. There was a general observation made by the honorable and learned gentleman to which every man was alive—that it was of the utmost importance to the national honour to support the national tribunals; but the honorable member had neglected to remark the natural distinction between tribunals for internal cases of justice, and those for the laws of nations. Whenever a treaty was agreed upon between two nations, from that moment it formed a part of the law of nations. If, then, the proposition he had stated, that it was in the power of a sovereign to enter into treaty respecting the claims of subjects was right, it was no more an impeachment upon the treaty in question to have recognized a composition, than it was upon this country to have entered into the composition with America. The judgments referred to by his hon. friend were not judgments affecting the revenue of the country, through the treasurer of the navy, but the captors of the vessels in question. In proof of this, he would remind his honourable friend, that his clients would have sold these judgments at such a discount as to take a few shillings in the pound before the treaty had been known, and that he had presented a petition for his Spanish clients, praying for a public compensation, the same as had been given in the case of Portugal, because there was so much litigation and difficulty in the way of getting satisfaction from the captors. Was it not hard, then, after not only the same measure of justice, but a greater had been meted out to them, that complaints should now be urged on that ground? But to argue more closely with his hon. friend, his hon. friend had represented the great hardship and injustice of stepping in between individuals and the tribunals which had given judgment in their favour. This he wished to be k particularly in view by the house, for he could show them that the claimants were deprived of no right they had had either in equity or by statute. There were two views to be taken of the question; 1. What was the principle on which any claim in equity could be founded: and, 2. What the claimants were entitled to on that principle. With respect to the first view, they were entitled to nothing in equity. The statute of July, 1815, was passed for purposes of humanity, that slaves found in captured vessels might be immediately relieved from their unhappy situation, and not obliged to wait the issue of a long litigation. With this view it was enacted, that if the capture should afterwards be declared illegal, an equivalent should be given for the slaves by the Treasurer of the Navy. As this act could only operate prospectively, not one case of those in question could be, in any view, brought within its operation. All of them but one were extra the whole proceedings contemplated by the statute. The hon. gent. had been guilty of a fallacy, if not of misrepresentation, respecting the cases in question. There were altogether 21 cases in different stages. In 16 of those cases the captures had taken place before July, 1815. The act of parliament of that date could, by possibility, therefore, apply only to five of them. The 16 cases h no reference whatever to the act, and could claim no remedy whatever, except from the clemency of Parliament, if Parliament chose to extend it to them; 4 cases out of the other 5 were still in course of litigation, and no judgment, whatever had been given upon them. Only one case, then, could be attempted to be included in the provisions of the act, and this case he should show to be on grounds very different from those contemplated by the act. It was the case of the Rosa. It had not been captured by our cruisers, but had been driven by stress of weather on the coast of one of the Bahama islands, and had been taken because some slaves were on board. Upon the learned gent.'s own showing, therefore, no claim could be urged against the Treasurer of the Navy. There were only 5 judgments, and those were against the captors; and surely the claimants, as to the remedy now afforded to them, compared with their prospect of recovering from the captors, had no right to complain of this country for turning them over to the justice of their own country. He had thus shown that the claimants had no right against the state, but against the captors; and that their claims against them could not stand in the way of entering into treaty, otherwise they would stand in the way of all treaties. Looking at the treaty with Spain, he would say, that the claimants by going to their king with judgments obtained in this country, would have an additional claim for justice, and an impediment against injustice, But if individual cases had been specially stipulated for in the treaty, it would be incumbered with much obscurity. Nothing could be more unwise than to include all cases in progress in the courts in a treaty. There was nothing so dangerous as introducing unnecessary words into a treaty. By this treaty the King of Spain had taken upon himself to make satisfaction for all losses sustained by his subjects. If then the judgments were not, as they were, against the captors, but against the public, is would be difficult to prove that we were bound to make twofold restitution. He would not prejudice any man; but if Americans and others who, under the disguise of Spaniards, had trafficked in slaves, had applied to our courts, and managed their disguise so well as to have obtained judgments, were it not the wisest and the most just course to refer them to the country to which they affected to belong? He believed there were such claimants, and Spain had better means of detecting them, and of separating the real Spanish claimants from the illicit traders who had carried on depredations under its flag. It was thus an essential ingredient of justice, to refer them to the country to which they said they belonged. It was impossible to get at the truth in any other country. Upon the whole he trusted that he had satisfied the house, that no doubt had hitherto existed with regard to the competence of the sovereign power of state, upon all the principles of international law, to conclude a treaty with another foreign power of the nature of that under consideration. He had shown that it had been recognized on two solemn occasions, and that there was no ground of charge against the navy board, as having placed itself between a judgment on a statute law, and its execution. He had only to remind them, that the Spanish flag had been made use of by the subjects of other states as a cloak to their violation of the law, and that the Spanish courts must necessarily be the fittest places for determining any questions which might arise out of that practice. Hoping, therefore, that he had relieved the hon. and learned gentleman's mind from all apprehension with respect to the authority of our own tribunals, he should conclude by expressing his intention to oppose the motion for an address as unnecessary.

Lord Archibald Hamilton addressed the house with reluctance on this subject, but he considered that, by the noble lord's own admission, it appeared injustice had been done somehow and somewhere. He was sorry that a claim in equity should be connected with any thing so atrocious as the slave-trade; but he nevertheless thought the honour and justice of the country implicated in this question. With regard to the precedent of the American treaty, he believed no previous adjudication had taken place, and that the aggrieved merchants had never been reconciled to it. If the noble lord thought this last circumstance of small importance, would he inform the house whether Lord Sidmouth was reconciled to it? The noble lord had referred the claimants to the Spanish government; but the correspondence showed that the answer of Spain would be, that the parties in question were excluded by the treaty. Had the captors really paid the damages and costs incurred, it be denied that our government would have b them harmless? And had not the sufferers, ther fore, a clear requitable claim for compensation He could not think it fair, after they had gone suc cessfully through a long and laborious process of litigation for the recovery of their demands, to turn them over to the Spanish courts, there to establish their claims a second time. In any view of the case, great blame appeared to him to attach to the noble lord and his colleagues, for making a treaty which so directly interfered with the legal rights of individuals.

Lord Castlereagh observed that, for all vessels captured before the treaty, the claimants would have a right to proceed in the courts of Spain.

Mr. C. W. Wynn did not mean to deny that the noble lord had correctly described the extent of the sovereign authority; the only question now was, as to the manner in which it had been exercised. He admitted that such claims as had not been adjudicated were a fit subject for negociation; but here were cases in which sentence had been pronounced, and an express act of parliament providing in such cases for the sufferers. The claimants had acted in reliance upon this security, and had, therefore, at least an equitable claim upon the government for compensation to the full amount of the sums they had recovered. The precedent of the American treaty was one qualified by a great variety of circumstances, though he did not think that, in precisely similar circumstances, it was a precedent to be followed. It might have been better, as in the present instance, to have appointed a special tribunal. Here, however, were only four cases requiring a special provision, and that must have been extremely easy, and was no reason for subjecting the parties to all the trouble and expense of referring them to the Spanish courts.

Mr. Brougham did not rise to prolong the discussion, but to remind the house that the treaty was a general contract on our part to pay a certain sum of money, on condition of Spain abolishing her slave-trade. Now Spain had given a better test of sincerity than her mere promise, by yielding the right of search, mutual it was true, as must be the case between neutral powers, but affording the most effectual means of accomplishing the object in view. It should also be recollected, that a part of the money paid was for the purpose of enabling Spain to afford compensation to such of her subjects as had really suffered. A sovereign power might at all times bar the claims of foreign subjects by a declaration of war, which rendered them alien enemies; but the objection of hardship, if it had any foundation in justice, was applicable to the Spanish government, and not to our own. The consideration of the expense and trouble of expected litigation had made no impression on his mind at the first view of this question; but this hardship was frequently experienced by our own captors, who were liable, at any period in the progress of a cause, to have their claims vacated by an act of the Governmet, and to be saddled with all the costs & expenses of suit. He hoped, however, that what had been urged by the noble lord would have its due weight in another place, and he should only now express his earnest wish, and indeed sanguine hope, that we should live soon to see the total abolition of the foreign slave trade. (hear).

Lord Castlereagh was happy to acquaint the house that a treaty which was in progress with the King of the Netherlands, for the abolition of the slave-trade, would probably be soon concluded.

Mr. Wilberforce was of opinion that the present case had not at all been distinguished from those of the ordinary exercise of the sovereign power of a state. He thought the hon. and learned gentleman's way of supporting this distinction indicated no small distrust in his own argument. Although Spanish ships were talked of, the fact was, that there were few or none of the ships of that country but belonged to individuals who had arrived at a dexterity and perfection of a system of fraud, with which the courts of law were unable to cope. The very solicitude now manifested to obtain payment from the British government, was a strong evidence of the truth of his representation. Such was the disposition to evade every measure which had been adopted for putting a stop to the African slave-trade, that the whole tract of country along the banks of the Senegal was one continued scene of unvaried desolation. The mischief was to be imputed to the French settlements on that coast. He understood that one governor had been already discharged for misconduct in this matter; and he trusted the French government, alive to its own engagemements, as well as to the general rights of humanity, would soon remove every obstacle to the complete accomplishment of so desireable an object. He trusted that, when Spain and Portugal had done so much, France and America would soon follow the example. He hoped that the present French Monarch, a man of humanity and religion himself, and who had had some experience of misfortune, would lend the authority of his exalted station to do away the wrongs and sufferings of so large a portion of his fellow beings. If he was led to augur thus favourably with respect to France, there was less doubt with respect to the United States of America, friendly as that country ought to be to the general liberty and happiness of mankind. The treaty which had been concluded with the Government of Spain seemed well calculated to secure the great object at which it aimed. That government had made such concessions as seemed to warrant the expectation that the arrangements of the treaty would be faithfully acted upon and he should be grieved extremely if the effect of such a motion would be to disturb its operations.

Mr. Bankes made a few observations, which we could not hear.

Mr. Moneysaid, he considered the money granted by the treaty with Spain as expended on one of the most just and noble purposes that ever such money could be applied to. And if the people of this country should be called upon to contribute their aid towards such an object, he had no doubt

[redacted] would be cheerfully [redacted] the rich.

[redacted]t the gentleman who had [redacted]s remarks entirely to the [redacted]wn part, he could yield to [redacted]y of his wishes for the total [redacted]human traffic. It was on that [redacted]en at pains to show that the pre- [redacted] a distinct and separate question. [redacted]panish claimants who had obtained [redacted] restitution was quite different from the [redacted]he Spanish Crown, or Spanish subjects. [redacted]ase in which the British public were con- [redacted] for the support of the credit and character [redacted] courts of justice. He could not help think- [redacted]at the credit and reputation of these courts [redacted]ld be compromised, if their decrees were to [redacted]s for mere nullities. There were four cases, of [redacted]hich three were not subject to the operation of [redacted]he act; the fourth was. It was said that in the case of Kings' officers setting slaves at liberty, the officers should be answerable. But the country was answerable, and ought to see, that restitution, when legally awarded, should be made in property, or equivalent. He thought that Parliament alone called interfere for this purpose. He found no fault with the sum of 400,000l. which had been granted, but he thought that those who had obtained the sanction of a court of jnstice for the restitution of their property, or an equivalent, should have been first considered in making compensation to Spain. By the treaty in question, the effect of the decission of the Court of admiralty rested on the faith of the Court of Spain; but it was well known that there was no court in Europe whose credit was so low as that of Spain. He thought that one of the claimants, who had been for a year in possession of a sentence of restitution, should have some indemnity. The claimant had been recommended to him as a man of fair character,—he found him in possession of several sentences, of appeals brought from the inferior courts, and confirmed in the higher courts. He saw no grounds whatever for any imputations on this man's character. The matter had been investigated in a court of justice, and nothing had appeared which could warrant such imputations in the slightest manner. He was still of opinion, notwithstanding all he had heard that night, that in cases where sentences had been obtained, due care should be taken that restoration should be made to the claimants, in order to wipe away any imputation that might be made that international law had not been administered with impartiality. In the provisions of the treaty, parties who had obtained sentences ought to have been first considered, and he thought we were pledged to that extent,

Mr. Wilberforce explained. He did not mean to cast any imputation on the character of the individual alluded to by the hon. gentleman; he meant only to say that, in general, Spanish flags had been used for protecting the ships of Amreicans and others employed in the transportation of slaves.

The motion was then negatived without a division.

THE QUARTERLY REVIEWS.

No. XXXIV.

SPAIN AND HER COLONIES.

In reviewing the events of the revolution in South America, we cannot omit to notice the recent death of General Miranda, the author and the leader of the first attempt to obtain its political freedom; and it is impossible to mention the circumstances attending his death, without expressing the feelings of disgust and indignation, which in every civilized country they cannot fail to excite. Betrayed by a treacherous adherent to the Spanish general with whom he had concluded a formal capitulation, and in defiance of this treaty, (which contained on the one side an acknowledgment of the authority of the Cortes, and on the other a complete amnesty to all persons in his army, without exceptio[illegible],) he was conveyed to Spain, and after a rigorous confinement of four years, he expired in the prison of La Caraca near Cadiz. We have been informed, but we trust that our information is incorrect, that his domestics were prohibited by the monks and clergy of the place, in which he died, from giving the common tokens of respect to his remains, and that his effects were burnt, with every mark of ignominy and contempt. Miranda undoubtedly possessed one characteristic, perhaps the most distinctive, of a superior mind, —that of having selected an elevated and, in his opinion, an useful object of ambitious pursuit, and of having devoted, with steady perseverance to the successful attainment of it, his faculties, his fortune, and his life. His sincerity in the cause which he had undertaken cannot be questioned, for the last exertion he made for its success, and which terminated in his own captivity and death, was made against the advice of his more prudent friends; when the affairs of Venezuela, his native country, were in the most desperate condition, and when the cause itself, for which he made this sacrifice, was not less endangered by the treachery of its professed advocates, than by the superior forces of the Spaniards. An impartial observer of his career in America will discover the taint of Jacobinical principles which he had contracted in the service of Revolutionary France. He displayed them in his own country by an awkward imitation of the worst forms of the very worst times of the French assemblies. In the same school, and amidst the contentions of rival commanders for the supreme power of the Republic, he acquired the habits of irregular ambition which exposed him to the jealousy and suspicion of his countrymen; which sullied the motives of his conduct and checked the career of his success in a cause, of which his talents, his knowledge and his experience, would have entitled him to be a leader.

It is with pain that we have remarked the peculiarly lawless and sanguinary nature of the war in all the Spanish colonies. No civil war of ancient or modern times can afford a parallel to these atrocities; and the cruelties of the Indian allies in the war of North America, exaggerated as they were by writers on both sides of the question, would sink in the comparison. Not only the common and conventional laws of nations, but the common feelings of human nature are outraged and despised,—the murder of prisoners, the perfidious violation of treaties, the unprovoked massacre of defenceless inhabitants seem to have been the ordinary resources of war to both the contending parties. We have seen a proclamation published by General Bolivar, at *Ocumure*, in July, 1816, in which he commands, 'that no European Spaniard shall be put to death, excepting in battle; that to those who surrender, pardon shall be given, though Spaniards; and that the war of death shall cease.' For the honour of mankind it is to be hoped, that he will persevere in humanizing the mode of warfare, in which the belligerents had indulged their irritated passions. But it must be observed, that the example of humanity would have come with a better grace from th se, whose obvious policy it is to conciliate, and who lay claim to a higher degree of civilization. It would have become the mother-country to practise in America the laws of civilized war, which she has learnt in Europe.

To attempt an historical narrative of the events of the war, would be to hazard our own character for veracity;—for such are the acrimony and violence which pervade the official documents on both sides, so completely have their contradictory relations succeeded in perverting or obscuring the truth, that we cannot pretend to more, than to sketch an outline of such recent transactions as are too notorious to be concealed, and too authentic to be misrepresented.

From the articles in Mr. Thompson's translation of Alcedo's Dictionary, (in which the impartiality of the narrative is not less to be admired than the variety and accuracy of the general information,) and from 'the Outline of the Revolution in Spanish America,' a correct notion of these events to a late period may be collected. The latter work is evidently written by a person, who has enjoyed access to the best sources of information and has probably been himself engaged in some of the transactions which he has described: the general bias of the author is in favour of the colonists, but he does not endeavour to conceal the misconduct of their leaders, to magnify their victories, or to diminish those of the Spaniards.

The provinces of Venezuela and New Granada have constantly preserved some connexion in their operations, though governed by separate and independent congresess;—they were entirely free, until the earthquake, which in March, 1812, destroyed the towns of La Guayra, Merida, and Caracas; and under their ruins crushed many thousands of the inhabitants, and buried the stores of arms and ammunition destined for the service of their armies. This tremendous calamity occurred on Holy Thursday; and the impression, which one of the most solemn rites of the Catholic religion makes at all times on the superstitious population of the Spanish colonies, was aggravated by the recollection that it was the anniversary of their revolution. Of this circumstance the priests in the interest of the royalists took advantage, and confusion and despondency were introduced into the affairs of the republic. Miranda, having been appointed dictator, was, after a brave and skilful resistance, obliged to propose a capitulation to the Spanish General Monteverde, by which the constitution proposed for Spain by the Cortes, was accepted for Venezuela.

Caracas was in consequence possesed by the royalists, with the rest of the provinces; and Miranda himself betrayed to the Spaniards, was imprisoned and soon afterwards conveyed to Spain.—The royalists conducted themselves in Venezuela with a degree of severity and imprudence which could not long be tolerated. Don Simon Bolivar, who had been one of the deputies from the colonies to England in 1810, having raised an army of less than a thousand men in New Granada, after several successful battles with the royalists, entered the town of Caracas, as a deliverer, on the 4th of August, 1813.—To a reader, accustomed to contemplate the myriads, which have been arrayed against each other in the wars of Europe, nothing can appear, more singular and stisking than the contrast between the insignificance of the means, and the magnitude of the objects in dispute in South America, as well as the immense extent of the regions, which are the seat of these diminutive campaigns.

Bolivar continued to attack with success the remaining forces of the royalists, and having offered the resignation of his authority into the hands of a Representative Assembly, was by them formally appointed the sole dictator. In order to recover their superiority, the Spaniards had recourse to the desperate and indefensible measure of a general liberation and arming of the slaves; and by these means raised an army or rather an armed rabble of above seventy thousand men, by whom Bolivar was beaten in a general action at the distance of fifty leagues from the capital. He had committed the fault of dividing his army, already inferior in numbers to that of his opponents. The Spanish General Bores occupied Venezuela in 1814, and Bolivar fled to Carthagena, which city General Morillo, who had arrived from Spain with ten thousand men, (the only considerable expedition that Spain has been able to send to America,) besieged in the summer of 1815—and took, after an obstinate resistance of four months, in the course of which a great part of the defenders had perished by famine.

Bolivar, with the assistance of Brion, a naval officer, and a man of considerable wealth, and of General M' Gregor, who had served in the English army on the Peninsula, directed another expedition against the royalists in Venuzuela; which, though he was himself defeated, has partially succeeded. The royalists appear to be still in possession of the principal towns, but great part of the country is occupied by the Independent armies or roving bands of *Guerrillas*. They have also, under M' Gregor, occupied the island of Amelia, which contains an excellent harbour, and affords them an easy communication with their friends in the United States. The island of Margarita, and part of the provinces of Cumana and Maracaybo, are in their power, and Bolivar was, at the date of the last accounts, still at the head of affairs.

The provinces composing the viceroyalty of New Granada, after violent civil contests, had established a system of general federation, and and appointed Nurino general of their forces, united to oppose the royalists, who had exasperated the whole country, by having, upon the capture of Quito, put to death one in every five of the inhabitants, by whom it had been defended. Nurino was for some time victorious, but was at length taken prisoner in June, 1814;—and the cause which had prospered by his conduct and talents was materially depressed.

The congress of New Granada, not dispirited by failure, employed Bolivar in December, 1814, to compel the province of Cundinamarca, with the capital Santa Fe di Bogota, to submit to their form of government. In this object he succeeded—and the congress proceeded to hold their sittings in that capital. The troops of New Granada were then employed by Bolivar in reducing Carthagena, of which the governor, Castillo, resisted his supreme authority. While the armies were fighting for this point of civil dissension, Morillo arrived, to whom both parties obliged to surrender.

Pursuing his success, Morillo captured Santa Fe in June, 1816, after a spirited resistance of the Independents. From the intercepted dispatches of this general to the Spanish government (for they are not all fabrications) it is evident that in many of the provinces of of New Granada the war is still carried on against Spain, that the spirit of independence is no where destroyed, and that unless Spain is able to supply her armies with constant reinforcements, they will soon be unequal to resist the *Guerrillas* by whom the country is overrun.

The colony of Mexico is on many accounts the leading object of anxiety to the mother-country in the present contest. The populations exceeds six milions, that of the capital alone is 140,000. Humboldt states it to be the most civilized of the Spanish colonies, and its mines, its harbours, and its position render it the most valuable. Tranquillity had been preserved as long as the archbishop was viceroy, but a conspiracy having been formed by some Spanish officers and a curate named Hidalgo, who had acquired singular influence over the Indians, the revolution began to wear a formidable appearance. They appeared in arms soon after the arrival of the viceroy Venegas—Hidalgo at the head of a motley army of eighty thousand men seized the royal treasure at Goanaxuato and possessed himself of some of the richest mines. He assumed the banners of the ancient emperors of Mexico, and displayed the image of the Virgin of Guadalupe, the favourite object of Catholic worship in Mexico. Hidalgo marched within a few leagues of the city of Mexico, and if there had been in its walls any active party in his favour, the forces of Venegas were so inferior and so dispirited, that it must have fallen into his hands. But the archbishop and Inquisition having published a solemn decree of excommunication against him, the inhabitants of the city and of the province remained passive spectators of the contest. After a long delay before the city, which gave his opponents the opportunity of collecting their forces, he withdrew in some confusion. His army was pursued and defeated by the Spanish general Calleja. It is a remarkable fact that in the towns submitting to his power, he issued a coinage with the head of Ferdinand the Seventh—having been twice defeated by the Spaniards, he was treacherously attacked and taken prisoner by a general of the Independents, and himself with all his officers were put to death. Several chiefs continued a desultory war, of whom Rayon a lawsear, and Morelos a priest, were the most conspicuous; they formed a junta, which still acknowledged Ferdinand. Calleja took Zitiquaro, the residence of this junta, and most barbarously as well as most unwisely razed to the ground every building in it. Morelos, after many actions with the royalists, and after destroying the royal magazines of tobacco, which were of the greatest value, to k the town of Acapulco, and effectually stopped the communication between Vera cruz and Mexico. The Junta was succeded by a Congress, which met at a distance of forty leagues from Mexico, and framed and published a democratic constitution. Acapulco has been retaken by the Spaniards; but the colonists, having fitted but privateers in the Gulph of Mexico, have been able to receive supplies of arms, ammunition, and offiers—they have been joined by the French general Humbert, and by Mina, son of Mina, whose name was illusrrious in the Spanish war.—The accounts of very recent transactions are incomplete and obscure. It would, however, appear, that the province of Puebla is still occupied by the Independents, and that nearly all the other provinces are traversed by bodies of armed men, who intercept the course of trade, and prevent the working of the mines, and even the common occupation of agriculture—Don Juan Apodaca, who resided in England as Spanish minister for several years, is the present viceroy, and having abandoned the policy in which his predecessors had in vain persevered, has adopted with success the wiser system of mildness and reconcilation.

When the Spanish government of Buenos Ayres was overthrown, a Junta on the model of those existing in Spain was immediately appointed. This example was followed by the province of Chili, which, secure in itself, sent military succours to the government of Buenos Ayres. A considerable army was dispatched to the provinces of Upper Peru, from which the royalists were then expelled. But their commander, Goyeneche, taking advantage of the violent dissensions among the chiefs of the Independents, reconquered the country, and unless he had resorted to the measures of cruelty, which have in all parts of the American contenent exasperated those who are not in this manner to be subdued, he probably would have been able to retain it. The town of Monte Video was defended against the colonists by General Elio, assisted with troops and money by the Portugueze. A capitulation was concluded between the parties, by which the Portugueze were bound to quit the place, and to return to the Brazils; they, however, still continued to commit hostilities, and the colonial forces were marching against them, when the Portugueze minister, Sousa, having died, his successor proposed terms of honourable peace, and of a mutual guarantee, which were accepted. A constituent assembly having been elected at Buenos Ayres it chose an executive government of three individuals; but the armies in Peru having been frequently defeated by the royalists, and the public mind being alarmed, Don G. Pozadas was named supreme director, with a council of seven members. Another contest arose with Monte-Video, which was taken in 1814 by Colonel Alvear. But the capitulation, by which the Spanish garrison were permmitted to embark for Spain, was violated; the violation was defended on the ground of retaliating the conduct of the Spanish generals in Peru, by whom every advantage had been taken in defiance of armistices and treaties.

The government of Buenos Ayres refused to surrender Monte Video to General Artigas, who claimed it as chief of the provinces on the eastern bank of the Plata, and who, having possessed himself of part of Paraguay, had issumed independent power: he gained possession of the town, continued to make war upen Buenos Ayres, and defeated the army that was sent to disposess him. After frequent changes of government, and many popular commotions, a new congress was elected, which named Don M. Puyrredon sole and supreme director, and which published a formal declaration of the independence of the provinces in July, 1816. The Portugueze government, constantly tormented by the ambition of extending their enormous dominions to the river La Plata, broke the articles of the treaty, and advancing under Generl Lecor to Moldonado, entered Monte Video without resistance in January, 1817. The Portugueze force is still there; but all is independent of Spain.

The provinces of Chili having assembled a congress, and the country being disturbed by the ambition of three brothers, named Carrera, who had usurped the chief authority, the viceroy of Lima sent an army there in 1813, which gained partial success, but made no considerable progress. The colonists had deposed Carrera, and given the command to O'Higgins, a brave and skilful officer. The independent troops were on the point of fighting in this civil contest, when it was announced to them, that the viceroy of Lima refused to ratify an armistice, by which Chili was to have sent a certain number of deputies to the Cortes in Spain, while its new government was to be acknowledged. The Spanish general, after several actions with

O'Higgins, took all the principal towns of Chili, in the autumn of 1814, and sent the chiefs of the Independents to the desert island of Juan Fernandez. But the Government of Buenos Ayres foreseeing, in the success of the Spaniards, the danger to their own cause, dispatched an army under General San Martin, which crossing the great chain of the Andes, and having defeated the royalists in a general action near Santiago, succeeded in restoring the former congress in February, 1817. Their success has, in every instance, been materially assisted by the oppressive and impolitic measures of the Spanish generals and governors.

From this brief outline it will appear that Lower Peru is in fact the only colony of Spain in America, in which no independent government has been formed, and in which the authority of Spain has been maintained without interruption. There have been many conspiracies at Lima, but they have hitherto failed in their objects. The principal reason of this exception seems to be, that there is in that province a greater number of large capitalists and opulent slave-holders than in the other American provinces, who are naturally interested in preventing the success of any commotion which may alter the state of property and of power, and may deprive them of their exclusive privileges.

Perhaps the most important changes in the relative condition of the belligerents in America, will result from the equipment of naval forces—by the Caraccas, under the command of Brion, and by Buenos Ayres, under Admiral Brown. Their vessels have been the means of communication between the colonies, too distant to have acted with concert; and they have already assailed the trade of Spain in the South Seas, and even in sight of Cadiz. The appearance on the high seas of independent flags, not acknowledged by the European powers, must raise questions of public law, of which the decision, involving considerations of the greatest political importance, will be difficult and embarrassing. But all nations know what is due to pirates; and the tribunals of maritime law will not be embarrassed in disposing of those, whose object has been general and lawless plunder.

In this rapid sketch of affairs so various and complicated, the fear of being prolix must be our apology for many omissions, But we cannot dismiss the subject of South America without some remarks on the increase of trade which England may derive from an intercourse with that country. With an extensive line of coast, with numerous navigable rivers, which, like great arteries, interect the continent, and form abundant channels for internal traffic, with a population of seventeen millions, which was increasing before the present war, and must rapidly increase under an improved system of government, without any manufactures of consequence, and possessing in abundance the precious metals—South America presents a market to the skill and enterprize of our merchants, which we hope and believe will not long be withholden from them.

Whatever may be the issue of the contest in South America, whether the colonies become independent nations, or whether they continue to be governed by Spain, advantages must accrue to British commerce. On this point we cannot better express our opinion than in the words of Lord Grenville, who in his celebrated speech on the renewnal of the Charter of the East India Company, rejoyced in the hope of our acquiring 'a free trade with the rich kingdoms of South America, a country hitherto barred against us as much by the monopolies of its own government as by our own, but now at last, by the course of events no longer within the control of man, opened, in every case I trust, infallibly opened to the commerce of the world,'

The export of the colonies, which, we believe, have not hitherto exceeded eighteen millions sterling in value, are peculiarly adapted to the taste and to the necessities of the European nations. Humboldt states their total of imports from Europe at £ 13,320,000. A rapid increase in quantity and value of both must follow the abandonment of the restrictive policy, which has not been more pernicious to their welfare than to the real interests of Spain. There is a curious proof of the rapid increase in the prosperity of one of the most important of those colonies, which we shall adduce on the authority of Mr. Thompson. While the provinces of La Plata were not admitted to the advantages of a separate vice-royalty, and of a fair competetion with the other American provinces, we find the annual average of export from La Plata, from the years 1748 to 1753, amounted to 1,677,250 of dollars; but from the year 1793 to 1796, after the introduction of a better system of trade and of government the same average was 4,744,173.

It may be fairly inferred from this fact, as well as from the rapid advance of their trade after the partial opening of 1778, that no calculation can be drawn from the past or present produce of the Spanish colonies, as to the future results of their free intercourse with Europe—these must be influenced by another cause, of which the effects are also incalculable. It had been a favourite part of the perverse policy of Spain, to exclude all her colonies from any share in the general advancement of knowlege. But this exclusion can in no case be continued. It would be as easy to turn the current of the Oronoco.

It was indeed idle to suppose that the system had been perfectly successful before the revolution. In defiance of the Inquisition, which has become in America as in Spain, in instrument of police, rather than of religion, the inhabitants of South America had long been sufficiently enlightned to reflect and reason on their own condition; and as human nature turns most eagerly to what is most severely interdicted, they had also long been in the habit of procuring aud studying the works of the French philosophers and politicians. This state of partial and imperfect knowledge has been injurious to their interests, by misleading them to an imitation of the revolutionary forms and doctrines of France in the reign of jacobinical phrenzy. But their present intercourse with the United States and with Europe will rapidly augment their means of information, and will enlighten them on every point of public welfare and of private happiness. With the increase of knowledge will arise the wants, the refinements, and the varied pursuits of civilization. The desire of possessing the productions of foreign countries will become more active, and it will produce a reciprocal advantage,—to the colonists, in the improvement of their industry, and consequently of their happiness;—to the foreign trader, in the abundance of the means and resources of a valuable commerce.

We look forward with ardent and sincere hope, not only as friends to the commercial and political interests of England, but as men interested in the welfare and improvement of our fellow-creaures, to such auspicious changes in the condition of the American people. We trust the time will come, when, released from the state of exile to which they have been too long condemned, they will at length be admitted into the pale of European intercourse—when they will enjoy the arts and the knowledge of this quarter of the globe, of which they have extended and preserved the language and the religion. But, impressed with these feelings, we confess that we should prefer exporting to them our commodities rather than our out-cast patriots. We cannot be of opinion that the part which France chose to play in the disturbances of North America should now be repeated by England in the South. We cannot, in compliment to the freedom of any country, adjure all regard for the honour and interests our own. Even if we were professed advocates of the colonists, we should have enforced the desireableness of an absolute neutrality on the part of all the nations of Europe. No one of them could interfere in the quarrel, but least of all, England, without exciting rival nations to take their part in the war; and infecting America with the intrigues and perplexities of European policy. As Englishmen we have expressed our opinions and our hopes, that no hostile interference in the contest between Spain and her colonies, that no equivocal system of partiality to either side will hazard the loss of those advantages which must ultimately result, in the natural course of events, from our preseverance in the policy adopted at the begining of the war. That policy consists in the observance of a fair, declared, unambiguous neutrality so long as our national honour is respected by both parties, and our good office are not called for by either to heal those dissensions which we are determined not to aggravate and inflame: and it would lead (in the event of such a call being made upon us) to an active and impartial exercise of those good offices, for the purpose of effecting, on equitable and reasonable terms, a reconcilation, by which the respective claims and interests of the mother-country and the South American provinces might be acknowledged and adjusted, and the peace of the new world consolidated with that of the old.

NINETEENTH

Calcutta Lottery,

FIFTH DAY'S DRAWING,

MONDAY, JULY 27, 1818.

PRIZES.

No. 4533, Prize of 20,000 Sicca Rs.

No. 2693, Prize of 5,000 Sa. Rs.

Nos. 2363, 2395 & 5605 Prizes of 1,000 Sicca Rupees each.

Nos. 430, 614, 1167, 4576 and 5685, Prizes of 500 Sicca Rupees each.

Nos. 865, 982, 2296, 2375, 5272, 5931 and 5983, Prizes of 250 Sa. Rs. each.

The 6th Day's Drawing will take place on Thursday next, the 30th Instant.

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